

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1360**

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**Introduced by Assembly Member Ting**

February 27, 2015

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An act to amend Section 5401 of the Public Utilities Code, relating to charter-party carriers of passengers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1360, as amended, Ting. Charter-party carriers of passengers: individual fare exemption.

The Passenger Charter-Party Carriers' Act generally requires charges for transportation to be offered or afforded by a charter-party carrier of passengers to be computed and assessed on a vehicle mileage or time-of-use basis, rather than on an individual-fare basis, subject to certain exemptions.

This bill would also exempt from these provisions a rideshare program operated by a transportation network company that arranges a ride *on a prearranged route* among multiple passengers who share the ride in whole or in part, provided that the *vehicle seats no more than 7 persons, including the driver, is operated by a participating driver, as defined, and the fare for each passenger is less than the fare that would be charged to a single passenger traveling alone.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5401 of the Public Utilities Code is  
 2 amended to read:  
 3 5401. Charges for the transportation to be offered or afforded  
 4 by a charter-party carrier of passengers shall be computed and  
 5 assessed on a vehicle mileage or time of use basis, or on a  
 6 combination thereof. These charges may vary in accordance with  
 7 the passenger capacity of the vehicle, or the size of the group to  
 8 be transported. However, no charter-party carrier of passengers  
 9 shall, directly or through an agent or otherwise, nor shall any  
 10 broker, contract for, agree to, or demand or receive compensation  
 11 in an amount, or arrange to charge an amount, for the transportation  
 12 offered or afforded, that shall be computed on an individual-fare  
 13 basis, except as follows:  
 14 (a) Schoolbus contractors who are compensated by parents of  
 15 children attending public, private, or parochial schools.  
 16 (b) Operators of round-trip sightseeing tour services conducted  
 17 under a certificate subject to Section 5371.1, or a permit issued  
 18 pursuant to subdivision (c) of Section 5384.  
 19 (c) A rideshare program operated by a transportation network  
 20 company subject to this chapter that arranges a ride *on a*  
 21 *prearranged route* among multiple passengers who share the ride  
 22 in whole or in part, provided that (1) *the vehicle seats no more*  
 23 *than seven persons, including the driver; (2) the driver is a*  
 24 *participating driver as defined in subdivision (b) of Section 5431,*  
 25 *and (3) the individual fare for each passenger is less than the fare*  
 26 *that would be charged for the same ride to a single passenger*  
 27 *traveling alone.*

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